



MEMORANDUM

Date: September 4, 2012

To: Building Safety and Permits staff and customers

From: Tom Coghill, Director of Building Safety and Permits

Subject: Permit and Inspection Requirements for Oil Storage Tank Removal and Abandonment

I. Permits

- The 2009 USBC at Section 108.1 addresses when a permit application is required for various types of work.
- 108.1 Item 1 requires a permit for demolition of a structure.
- Section 2.0 Definitions defines a structure as among other things “storage tanks, underground and aboveground.” Thus a permit must be obtained.

II. Commercial Tanks

- The 2009 Virginia Mechanical Code at Section 1301.5 states that tank abandonment and removal shall be in accordance with Section 3404.2.13 of the Virginia Statewide Fire Prevention Code.
- In addition the 2009 Virginia Construction Code (VCC) at Section 415.1.1 references the entire Virginia Statewide Fire Prevention Code and the Virginia Mechanical Code when storing flammable and combustible liquids. At this section reference is also made to the Virginia State Water Control Board (SWCB) regulations which are made an enforceable part of the IBC. If differences exist between the VCC and the SWCB, the SWCB regulations take precedence.

III. Residential Tanks

- The 2009 Virginia Residential Code (VRC) at Section M2201.7 addresses oil tanks being abandoned or removed and states that it shall be in accordance with the International Fire Code (Virginia Statewide Fire Prevention Code) found in the referenced standards.
- The 2009 Virginia Statewide Fire Prevention Code at Section 3404.2.13 would apply here as well.
- Since the VCC is the parent document of the VRC, which becomes a referenced standard, the VCC section at 415.1.1 is applicable here as well. The SWCB regulations excludes underground storage tanks where heating oil is consumed on the premises and aboveground oil storage tanks with a capacity of 660 gallons or less. SWCB regulations still apply on tanks not excluded by the SWCB regulations and would take precedence where differences exist with the VCC.
- The 2009 USBC Related Laws Package contains Charts A, B, and C listing differences between the ICC codes and the SWCB Regulations. Chart C footnote “a” states “Tanks exempt or excluded by SWCB regulations are not exempt from meeting USBC requirements.” Thus permits and inspections are required.